



County of Los Angeles  
**CHIEF ADMINISTRATIVE OFFICE**

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://cao.co.la.ca.us>

DAVID E. JANSSEN  
Chief Administrative Officer

November 16, 2004

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**FUNDING RECOMMENDATIONS TO IMPLEMENT CORRECTIVE ACTION AT  
PROBATION JUVENILE HALLS PURSUANT TO DEPARTMENT OF JUSTICE (DOJ)  
SETTLEMENT AGREEMENT (ALL AFFECTED) (3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the attached appropriation adjustment to transfer ~~\$6,000,000~~ <sup>\$300,000</sup> from the Provisional Financing Uses (PFU) budget to provide funding for the Departments of ~~Health Services (DHS), Mental Health (DMH) and~~ Probation to implement corrective action to address DOJ's concerns related to confinement practices, health, mental health, and education services provided to minors at juvenile halls, pursuant to a Board-approved settlement agreement with the DOJ.

~~2. Approve the attached appropriation adjustment recommending Title 2, Subtitle 2 of the Los Angeles County Code to add, and authorize hiring of, 136 additional positions.~~

3. ~~Instruct the Probation Department to work with County Counsel, DHS, DMH, the Los Angeles County Office of Education (LAOCE), and any other affected County department or agency, to submit quarterly status reports to the Board on the progress of the plan.~~

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS**

On August 10, 2004, your Board approved a settlement agreement with the DOJ related to their investigation of services provided to minors at the County's three juvenile halls. The agreement was fully executed by the DOJ on August 24, 2004. Pursuant to the settlement agreement, the Monitoring Team will conduct its initial visit of the juvenile halls by February 24, 2005, which is six months from the effective date of the agreement, and will evaluate the extent to which compliance with the agreement has been achieved.

DOJ Monitoring team members will visit the facilities at least quarterly until substantial compliance is achieved.

A compliance plan to address the 48 areas of concern has been developed by the DHS, DMH, Probation, and the LACOE. The purpose of the recommendations is to provide funding to enable the implementation and monitoring of the plan. The recommendations assume immediate implementation, and include eight months of funding for FY 2004-05, to provide for 137.1 additional budgeted positions necessary to implement the plan. Attached are summaries of the plan cost estimates (Attachment I) and the recommended additional positions (Attachment II).

The recommendations include an ordinance (Attachment III) amending Title 6 of the County Code to reflect ordinance authority for positions to enable the implementation of the action plan.

#### **Implementation of Strategic Plan Goals**

The requested Board actions are consistent with the Countywide Strategic Plan Goals as follows: Goal #2, Workforce Excellence - enables an increase in Probation and DHS positions and provides additional staff training to enhance the quality and productivity of services provided by these departments to detained probation minors; #3, Organizational Effectiveness - provides for the development and implementation of an action plan designed to improve the efficiency and effectiveness of services provided to detained minors through the delivery of goal-oriented tasks; Goal #4, Fiscal Responsibility - enables the investment of funds to enhance services provided to youth under the care and custody of the County, while mitigating potential exposure to litigation; Goals #5, Children and Families' Well-being; and #7, Health and Mental Health - enables funding to improve the delivery of education, health, mental health, and probation services to detained minors.

#### **FISCAL IMPACT/FINANCING**

On September 28, 2004, your Board set aside \$10,100,000 in on-going funding in the PFU budget for this purpose. Based on implementation to begin immediately upon Board approval, the plan for the 2004-05 fiscal year will utilize \$6,856,000 of the \$10,100,000 to provide 8 months of funding. The remaining balance of \$3,244,000 will be retained in PFU to provide full-year funding for this program in FY 2005-06.

The attached appropriation adjustment (Attachment IV) transfers <sup>\$ 300,000</sup> ~~\$0,000,000~~ to the Probation Department to fund enhanced service level by Probation, ~~DMH, and DHS. It also provides \$2,104,000 increased appropriation to DHS and \$900,000 increased appropriation to DMH to allow sufficient expenditure authority for the additional services, fully offset by intrafund transfer from Probation. Total additional appropriation for all affected departments is \$3,004,000, offset by intrafund transfer of \$3,004,000 for a total net County cost transfer from F F O of \$0,000,000.~~

#### FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In November 2000, the DOJ initiated an investigation regarding the three juvenile halls. The DOJ informed your Board of its findings in an April 9, 2003 letter, which included 66 recommendations related to deficiencies in juvenile confinement practices, mental health services, medical care, sanitation, and education policies.

On July 6, 2004, the impacted agencies and the CAO formalized a commitment towards this effort via the attached memorandum of understanding (Attachment V). Although Probation is the designated lead coordinating agency, the CAO will monitor the agreement and facilitate the required actions to ensure continued compliance with the memorandum of understanding.

On August 10, 2004, your Board approved a settlement agreement with the DOJ to address 43 provisions related to services provided by Probation, DHS AND DMH, and an additional five provisions related to the LACOE. The agreement provides the County and LACOE an opportunity to address the concerns over a three-year period. On August 24, 2004, the DOJ fully executed the settlement agreement.

Of the 43 County Department areas, approximately 26 are in substantial compliance with the agreement and LACOE is compliant with four of five areas, due to the agencies working collaboratively over the past three years to address 302 concerns outlined by the DOJ during their initial investigation in November 2000. The requested funding will enable the County departments to maintain on-going compliance in the 26 areas where compliance has been achieved, and will assist the agencies in attaining compliance in the 17 remaining areas. The LACOE compliance plan is funded separately from their own resources.

#### Department of Health Services

The DHS has implemented many of the DOJ recommendations of April 9, 2003. To comply with remaining DOJ recommendations, an annual requirement of \$3.2 million and

54.1 budgeted positions are recommended. Staffing is comprised of clinical nurses, pharmacists, pharmacy technicians, optometrists, ophthalmologists, medical records staff and clerical support.

#### Department of Mental Health

Mental Health has implemented most of the DOJ recommendations of April 9, 2003; however, concerns remain regarding staffing levels. The Department requires \$1.3 million and 17.0 budgeted positions to address remaining DOJ staffing issues. Staffing includes psychiatric social workers, psychologists and clerical support.

#### Probation Department

An additional annual requirement of \$2.7 million and 38.0 budgeted positions have been identified by the Probation Department. In addition, the Department is currently absorbing \$2.2 million and 39.0 positions where staff was redirected from other programs to address DOJ concerns. Since staffing level remained an issue in the April 9, 2003 report, we recommend funding the additional 38.0 budgeted positions and backfilling the existing 39.0 budgeted positions for a total of 77.0 positions.

#### Quality Assurance Unit

Board staff, the DOJ, and County Counsel have recommended that central monitoring be established to ensure departmental compliance with the implementation plans. These recommendations include an audit compliance team to be housed at the Probation Department under the direction of an existing Senior Probation Director and is comprised of 6.0 positions: 1.0 Supervising Psychiatric Social Worker from DMH; 1.0 Assistant Nursing Director, Administration from DHS; and four from Probation, including 3.0 Supervising Detention Services Officers, and 1.0 Intermediate Typist-Clerk.

#### DOJ Contract Monitors

The 2004-05 recommended funding includes \$350,000 to provide for DOJ monitors, including a lead project monitor as required pursuant to the settlement agreement. The team will include subject matter experts in the fields of psychiatry, mental health, medicine, safety and sanitation, and juvenile programs, and an education expert funded by the LACOE.

The monitoring team members will visit the juvenile halls at their discretion, and will report to the DOJ on compliance status. The \$350,000 estimate is intended as the maximum annual amount, assuming the DOJ contract consultant rate range of \$125-\$150 per hour plus air fare and lodging expenses.

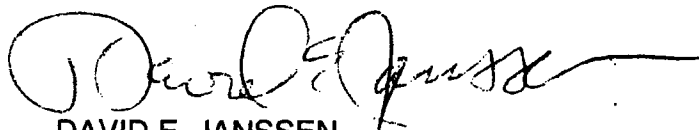
**CONTRACTING PROCESS**

Our funding recommendations include an estimated annual maximum amount of \$350,000 to contract with the DOJ for a monitoring team, which pursuant to the settlement agreement will be selected by the DOJ under their procurement policies. Any other necessary contracting will be conducted in accordance with County contracting policies and procedures.

**IMPACT ON CURRENT SERVICES OR PROJECTS**

The recommended funding will provide staffing resources necessary to implement an action plan to increase the level of health, mental health, probation, and education services to minors detained at juvenile halls, in accordance with the DOJ settlement agreement approved by your Board on August 10, 2004.

Respectfully submitted,



DAVID E. JANSSEN  
Chief Administrative Officer

DEJ:DL  
ES:AL:lbm

Attachments (5)

- c: Violet Varona-Lukens, Executive Officer, Board of Supervisors  
Raymond G. Fortner, Jr., Chief Deputy, County Counsel  
Richard Shumsky, Chief Probation Officer  
Thomas L. Garthwaite, Director, Department of Health Services  
Marvin J. Southard, Director, Mental Health  
Darline P. Robles, Superintendent, Los Angeles County Office of Education